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Lawyers in Spy Case Barred From Speaking to Reporters

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LOS ANGELES, March 5 — A Federal district judge, declaring that "the public's right to a fair trial" was equal to that of defendants, on Tuesday barred lawyers in a case involving three people accused of spying for the Soviet Union from talking to reporters about the case.

The judge, David V. Kenyon Jr., issued the order on a request made Monday by the United States Attorney for the Central District of California, Robert C. Bonner.

"It is the integrity of our judicial process that is fundamentally at stake," Judge Kenyon said. "This trial will not become a circus show played out on the steps of this courthouse." Judge Kenyon emphasized that his ruling was unusual in that it stressed the public's, not the defendant's, rights to receive justice.

Clearly angry, Judge Kenyon read the order from the bench. He criticized the lawyers for a Russian émigré couple, Svetlana and Nikolay Ogorodnikov, and for Richard W. Miller, a former agent of the Federal Bureau of Investigation, as creating "a serious and imminent threat to the administration of justice" by "lobbying" for their clients through a news article Sunday in The Los Angeles Times.

Mr. Miller and the Ogorodnikovs are accused of espionage in behalf of the Soviet Union. Mr. Miller was the first F.B.I. agent to be accused of spying against the United States. The Ogorodnikovs' trial is scheduled to begin March 19, followed by a trial of Mr. Miller.

The United States Attorney asked for a restraining order last fall but that re-

quest was denied by Judge Kenyon in December.

Judge Kenyon said Tuesday, however, that he was moved to impose the restraint by "detailed" statements concerning their clients' expected defense strategy that were made by lawyers for the Ogorodnikovs and Mr. Miller in interviews for the article last Sunday in The Los Angeles Times.

The article in said that lawyers for the three defendants had accused the F.B.I. of exaggerating the evidence against Mr. Miller and the Ogorodnikovs. It quoted the lawyers as saying that the case should never have been prosecuted.

The lawyers' remarks in the article came after the Government dropped several charges against the Ogorodnikovs on Feb. 20. The dropped charges related to aiding and abetting the purported receiving of a secret F.B.I. document from Mr. Miller, which the Government asserts was to have been passed on to the Soviet intelligence authorities, but the Ogorodnikovs are still charged with espionage conspiracy as is Mr. Miller.

Lawyers for Mrs. Ogorodnikov and for Mr. Miller argued against the order.

Gregory Stone, a lawyer for Mrs. Ogorodnikov, defended his talking to a reporter for the article on the ground that an "erroneous statement" concerning Mrs. Ogorodnikov appeared in an article in The New York Times Magazine on Feb. 10. Mr. Stone acknowledged to the judge that The Times had since published a correction, which said that the erroneous statement had appeared in a dispatch from Washington last Oct. 4 as well as in the Feb. 10 article.